



Dale Saran <dalesaran@gmail.com>

Question Re: Ongoing Discharges in Bazzrea

Dale Saran <dalesaran@gmail.com>

Wed, Oct 12, 2022 at 10:18 AM

To: "Snyder, Cassandra M (CIV)" <Cassandra.M.Snyder@usdoj.gov>

Cc: "Lowenstein, Jody D. (CIV)" <Jody.D.Lowenstein@usdoj.gov>, Brandon Johnson <bcj@defendingtherepublic.org>, Travis Miller <twm@defendingtherepublic.org>, pete <pete@silentmajorityfoundation.org>

Cassie,

I'm having a hard time understanding why your client can agree to a pause for Coast Guard members in the Thomas More suit, but not for our Coasties in a suit where the PI is already fully-briefed, as you note. Just because...?

Dale

On Wed, Oct 12, 2022 at 9:19 AM Snyder, Cassandra M (CIV) <Cassandra.M.Snyder@usdoj.gov> wrote:

Hi Dale,

Thank you for letting us know. Defendants' position has not changed. And because there is already a fully briefed motion for a preliminary injunction before the Court, we cannot agree to a TRO briefing schedule.

Thanks,

Cassie

(202) 451-7729

From: Dale Saran <dalesaran@gmail.com>

Sent: Tuesday, October 11, 2022 5:04 PM

To: Lowenstein, Jody D. (CIV) <Jody.D.Lowenstein@usdoj.gov>

Cc: Brandon Johnson <bcj@defendingtherepublic.org>; Travis Miller <twm@defendingtherepublic.org>; pete <pete@silentmajorityfoundation.org>; Snyder, Cassandra M (CIV) <Cassandra.M.Snyder@usdoj.gov>

Subject: Re: [EXTERNAL] Question Re: Ongoing Discharges in Bazzrea

Jody,

Whatever the Coast Guard may say, what we see is folks getting pink slips on a day or two's notice.

They may not have a "discharge date" yet, but our experience has been that the "discharge date" usually comes with a DD-214 that needs to be signed shortly thereafter.

- Timothy Jorden has been discharged (one of our named plaintiffs);
- LT Caleb Wadsworth - another named Plaintiff - has been notified of his Board of Inquiry;

That's in addition to the 2 female Coast Guard academy cadets (Alexis Colasurdo and AJ Schur) who have been disenrolled - among our intervenor plaintiffs. I have at least one of their DD-214s.

That's not an acceptable attrition rate for me for plaintiffs who are in federal court and entitled to have their claims heard, particularly in light of the government's actions with regard to RFRA. This is willful discrimination by a government agency against a "discrete and insular minority." And it's people who risk their lives saving Americans for a living.

Unless you tell me the Coast Guard will stop this, then I'm filing an Emergency TRO tomorrow. I would propose giving you 5 days to Respond and we'll take 3 to Reply, thereby getting the issue before the Court by late next week.

Cheers,

Dale

On Wed, Oct 5, 2022 at 2:54 PM Lowenstein, Jody D. (CIV) <Jody.D.Lowenstein@usdoj.gov> wrote:

Dale,

As you know, some services have previously been willing, in certain circumstances, to hold off on imminent separations for a short, definite duration to allow the parties to brief and the court to consider a pending preliminary-injunction motion on a reasonable timeline. But we're not aware of any plaintiff that has faced imminent separation during the course of this litigation. As for Sabrina Wilder specifically, the Coast Guard confirmed that, as of this morning, she has not been issued a discharge date. And in any event, plaintiffs' preliminary-injunction motion will be fully briefed and ripe for decision on Friday, when defendants file their sur-reply.

Please let us know if you would like to discuss this further.

Thank you,

Jody D. Lowenstein

Trial Attorney

U.S. Department of Justice

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(202) 598-9280

jody.d.lowenstein@usdoj.gov

From: Dale Saran <dalesaran@gmail.com>
Sent: Tuesday, October 4, 2022 1:45 PM
To: Lowenstein, Jody D. (CIV) <Jody.D.Lowenstein@usdoj.gov>; Snyder, Cassandra M (CIV) <Cassandra.M.Snyder@usdoj.gov>
Cc: Brandon Johnson <bcj@defendingtherepublic.org>; Travis Miller <twm@defendingtherepublic.org>; pete <pete@silentmajorityfoundation.org>
Subject: [EXTERNAL] Question Re: Ongoing Discharges in Bazzrea

Cassie, Jody,

Greetings! We noticed that in a recent update to the court in *Stone v. Mayorkas* (in N.D. Tx) that the Coast Guard had agreed to hold off on drops to the ISL or in discharging folks. (ECF 25, attached).

This runs directly counter to what you've said - and what's been done with our plaintiffs by the Coast Guard - in *Bazzrea*. As you might imagine, this makes us suspect that you don't love us as much as you love the Thomas More society.

Have policies changed again? Or should we conclude and expect that the Coast Guard and DoJ are going to treat our Coasties differently from TM's for the duration?

Please consider this part of our meet and confer for an anticipated TRO regarding at least one of our named Plaintiffs, Sabrina Wilder in *Bazzrea*.

Cheers and thanks,

Dale